

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, d-amphetamine hydrochloride 5 mg. (Examination disclosed that the tablets contained not more than 4.15 milligrams of dextro-amphetamine hydrochloride.)

DISPOSITION: March 30, 1950. Default decree of condemnation and destruction.

3027. Adulteration of peppermint leaves, powdered capsicum, and Hungarian chamomile. U. S. v. 1 Bag, etc. (F. D. C. No. 28048. Sample Nos. 11777-K, 11779-K, 11780-K.)

LIBEL FILED: October 18, 1949, District of Connecticut.

ALLEGED SHIPMENT: On or about August 24 and 29 and September 8, 1949, from New York, N. Y.

PRODUCT: 1 bag containing 31 pounds of *peppermint leaves*, 1 drum containing 25 pounds of *powdered capsicum*, and 66 pounds in bulk and 136 cases, each case containing 720 1-ounce packages, of *Hungarian chamomile*, at Fairfield, Conn.

NATURE OF CHARGE: Adulteration, Section 501 (b), the products purported to be and were represented as drugs the names of which are recognized in official compendiums, and their purity and quality fell below the official standards since they contained insects, insect fragments, and rodent hairs. The standards provide that vegetable drugs are to be as free as practicable from molds, insects, and other animal contamination, and animal excreta. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 11, 1950. Default decree of condemnation and destruction.

3028. Adulteration of oil of theobroma. U. S. v. 694 Bottles * * *. (F. D. C. No. 28460. Sample No. 11702-K.)

LIBEL FILED: December 8, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about February 8, 1949, by the Royal Sundries Corp., from New Brunswick, N. J.

PRODUCT: 694 2-ounce bottles of *oil of theobroma* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "theobroma oil," a drug the name of which is recognized in the United States Pharmacopoeia, and its quality and purity fell below the official standard since it had a rancid, acrid odor and a rancid taste. The standard provides that *theobroma oil* has a faint, agreeable odor and a bland taste.

DISPOSITION: January 25, 1950. Default decree of condemnation and destruction.

3029. Adulteration and misbranding of prophylactics. U. S. v. 252 Gross * * *. (F. D. C. No. 28466. Sample Nos. 56599-K, 56600-K.)

LIBEL FILED: December 5, 1949, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 31, 1949, by Central Sundries, Inc., from East Newark, N. J.

PRODUCT: 252 gross of *prophylactics* at Brooklyn, N. Y. Examination of samples showed that 2.4 percent were defective in that they contained holes.

LABEL, IN PART: (Package) "Package of Two Royal Knight Prophylactics."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label designation "Prophylactics" was false and misleading as applied to an article containing holes.

DISPOSITION: January 27, 1950. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3030. Misbranding of Atomic Botanical Laxative Compound. U. S. v. 117 Bottles, etc. (F. D. C. No. 28475. Sample No. 53797-K.)

LIBEL FILED: December 12, 1949, Northern District of Alabama.

ALLEGED SHIPMENT: The drug was shipped on or about September 26, 1949, by the General Products Laboratories, from Columbus, Ohio, and a number of booklets were shipped on or about September 27, 1949, by Atomic Distributors, Inc., from Miami, Fla.

PRODUCT: 117 16-ounce bottles of *Atomic Botanical Laxative Compound* at Birmingham, Ala., together with a number of booklets entitled "This Free Booklet Contains Important News." Analysis showed that the product consisted essentially of extracts of plant drugs, including laxative plant drugs.

LABEL, IN PART: "Atomic Botanical Laxative Compound Internal Medicine * * * Atomic Distributors, Inc. Columbus, Ohio."

NATURE OF CHARGE: Misbranding, Section 502 (a), the word "Atomic" appearing on the label of the article and certain statements in the booklet were false and misleading. The word and the statements represented and suggested that the article possessed atomic energy, and that a laxative would be effective in promoting health and relieving coated tongue, bad breath, loss of appetite and energy, sleeplessness, nervousness, headaches, sallow complexion, pimples, blackheads, indigestion, and many other such serious conditions. The article did not possess atomic energy, and a laxative is not effective in promoting health and relieving the diseases and conditions stated.

DISPOSITION: January 13, 1950. Default decree of condemnation and destruction.

3031. Misbranding of Harmon's Compound. U. S. v. 131 Bottles * * *. (F. D. C. No. 27271. Sample No. 1440-K.)

LIBEL FILED: May 26, 1949, Middle District of North Carolina; libel amended on or about October 21, 1949.

ALLEGED SHIPMENT: On or about April 6, 1949, from Cincinnati, Ohio.

PRODUCT: 131 12-ounce bottles of *Harmon's Compound* at Winston-Salem, N. C., in possession of the Standard Sales Co., together with a number of circulars entitled "Here It Is—Harmon's Compound," which were printed locally for the dealer and displayed on the sales counter near the product.

Analysis showed that the product consisted essentially of epsom salt, sodium phosphate, and water, with small proportions of iron salts and flavoring materials.

*See also No. 3029.